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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/775,450

Applicant(s)

NYSTROM, SEBASTIAN

Examiner

DAVID LAZARO

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date 2/10/04, 11/7/07
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-48 are pending in this office action.

Information Disclosure Statement

2. The information disclosure statements (IDS) submitted on 02/10/2004 and 11/07/2007 are in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Drawings

3. The drawings filed 02/10/2004 are accepted by the examiner.

Claim Objections

4. Claim 24 is objected to because of the following informalities: Claim 24 contains the phrase "with the network resource that the stores supplemental content information" (emphasis added) which is grammatically unclear. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-3, 12, 13, 22, 23, 28-37 and 42-48 are rejected under 35 U.S.C. 102(e) as being anticipated U.S. Patent Application Publication 2003/0120745 by Katagishi et al. (Katagishi).

7. With respect to claim 1, Katagishi teaches short-range wireless communication transponder device for providing access to content information, the device comprising:

short-range wireless communication circuitry (Page 4 [0055]-[0057] RFID 10);

and

a memory unit in communication with the circuitry (Page 4 [0057] memory 13 in RFID 10), wherein the memory unit stores local content information and commands for concurrently effecting retrieval of supplemental content information associated with the local content information from a remote network resource while the local content information is accessible to a remote wireless device (Page 6 [0082]-[0083]: local content information viewed while remote content is retrieved) (Page 4 [0064]-[0066]: commands from RFID cause automatic retrieval of remote content).

8. With respect to claim 2, Katagishi teaches the device of claim 1, wherein the short-range wireless communication transponder device is further defined as a Radio Frequency Identification (RFID) transponder device (Page 4 [0055]-[0057] RFID 10).

9. With respect to claim 3, Katagishi teaches the device of claim 2, wherein the short-range wireless communication circuitry is further defined as RFID circuitry (Page 4 [0055]-[0057] RFID 10).

10. With respect to claim 12, Katagishi teaches a mobile device that provides for short-range wireless communication for accessing content information, the device comprising:

a reader for receiving and decoding short-range wireless communication signals from an associated transponder (Page 4 [0058] RF circuit, RFID reader/writer), the decoded information including information locally stored on the transponder and commands for effecting retrieval of supplemental content information associated with the locally stored information, from a network resource (Page 6 [0082]-[0083]: local content information viewed while remote content is retrieved) (Page 4 [0064]-[0066]: commands from RFID cause automatic retrieval of remote content); and

a processor in communication with the reader that receives the decoded information (page 4 [0058]-[0060]) that is capable of executing instructions for making information locally stored at the transponder accessible to the mobile device user and concurrently effecting retrieval of the supplemental content information from the network resource for the purpose of providing seamless access to the local content information and the supplemental content information (Page 6 [0082]-[0083]: local content

information viewed while remote content is retrieved) (Page 4 [0064]-[0066]: commands from RFID cause automatic retrieval of remote content).

11. With respect to claim 13, Katagishi teaches the device of claim 12, wherein the mobile device that provides for short-range wireless communication is further defined as a cellular telephone that provides for Radio Frequency Identification (RFID) communication (Page 4 [0058]-[0060]).

12. With respect to claim 22, Katagishi teaches the device of claim 12, wherein the processor that is capable of executing instructions for making content information locally stored at the transponder accessible to the mobile device user and concurrently effecting retrieval of the supplemental content information from the network resource, wherein concurrently effecting retrieval of the supplemental content information further includes establishing wireless communication with the network resource, the wireless communication chosen from the group consisting of cellular, Wireless Local Area Network (WLAN), and Ultra Wide Band (UWB) (Page 4 [0066]).

13. With respect to claim 23, Katagishi teaches a system for short-range wireless communication for accessing content information, the system comprising:

a transponder device (Page 4 [0057] RFID 10) that stores and transmits both local content information and commands for concurrently effecting retrieval of supplemental content information from a network resource while the local content information is accessible to a remote wireless device, wherein the supplemental content information is associated with the local content information (Page 6 [0082]-[0083]: local content information viewed while remote content is retrieved); and

a mobile device (Page 4 [0058]: cellular phone 20) that includes a reader that decodes information received from the transponder and a processor that provides for user-access to the local content information while concurrently initiating wireless communication with the network resource for the purpose of retrieving the supplemental content information (Page 6 [0082]-[0083]: local content information viewed while remote content is retrieved).

14. With respect to claim 28, Katagishi teaches the system of Claim 23, wherein the processor of the mobile device provides user-access to the local content information while simultaneously initiating wireless communication with the network resource, wherein the wireless communication is chosen from the group consisting of cellular, Wireless Local Area Network (WLAN), and Ultra Wide Band (UWB) (Page 4 [0066]).

15. With respect to claim 29, Katagishi teaches a method for providing information to a mobile device, the method comprising the steps of:

storing, at a transponder, local content information and commands for concurrently effecting retrieval of supplemental content information stored at a remote network resource (Page 6 [0082]-[0083]: local content information viewed while remote content is retrieved) (Page 4 [0064]-[0066]: commands from RFID cause automatic retrieval of remote content);

wirelessly transmitting, from the transponder to a mobile device equipped with a reader, the local content information and the commands for concurrently effecting retrieval of supplemental content information from a remote network resource (Page 6 [0082]-[0083]: local content information viewed my cellular phone while remote content

is retrieved) (Page 4 [0064]-[0066]: commands from RFID cause automatic retrieval of remote content at cellular phone);

providing a user of the mobile device access to the local content information (Page 6 [0082]-[0083]: local content information viewed my cellular phone while remote content is retrieved); and

concurrently, effecting retrieval of the supplemental content information stored at the remote network resource based on the commands in the transponder transmission (Page 6 [0082]-[0083]: local content information viewed my cellular phone while remote content is retrieved) (Page 4 [0064]-[0066]: commands from RFID cause automatic retrieval of remote content at cellular phone).

16. With respect to claim 30, Katagishi teaches the method of claim 29, further comprising the step of providing the user seamless access to the local content information and the retrieved supplemental content information (Page 6 [0082]-[0083]: local content information viewed my cellular phone while remote content is retrieved)

17. With respect to claim 31, Katagishi teaches the method of Claim 30, wherein the step of providing the user seamless access to the local content information and the retrieved supplemental content information further comprising providing the user seamless access to the local content information and the retrieved supplemental content information upon authorizing the user for access (Page 6 [0089]-[0092]).

18. With respect to claim 32, Katagishi teaches the method of Claim 30, wherein the step of providing the user seamless access to the local content information and the retrieved supplemental content information further comprising providing the user

seamless access to the local content information and the retrieved supplemental content information upon authenticating the user for access (Page 6 [0089]-[0092]).

19. With respect to claim 33, Katagishi teaches the method of Claim 29, wherein the step of effecting retrieval of the supplemental content information stored at the remote network resource is further defined as occurring absent user input by the mobile device user (Page 4 [0064]-[0066]: commands from RFID cause automatic retrieval of remote content).

20. With respect to claim 34, Katagishi teaches the method of Claim 29, wherein the step of effecting retrieval of the supplemental content information stored at the remote network resource further comprises effecting retrieval of the supplemental content information stored at the remote network resource upon authorizing the user (Page 6 [0089]-[0092]).

21. With respect to claim 35, Katagishi teaches the method of Claim 29, wherein the step of providing a user of the mobile device access to the local content information further comprises providing a user of the mobile device complimentary access to the local content information (Page 6 [0082]-[0083]).

22. With respect to claim 36, Katagishi teaches the method of Claim 35, wherein the step of effecting retrieval of the supplemental content information stored at the remote network resource further comprises effecting retrieval of the supplemental content information stored at the remote network resource upon payment of a fee by the mobile device user (Page 7 [0100]-[0101]: user normally pays fee to access remote resource).

23. With respect to claim 37, Katagishi teaches the method of Claim 29, wherein the step of effecting retrieval of the supplemental content information stored at the remote network resource further comprises effecting retrieval of the supplemental content information stored at the remote network resource upon authenticating the user (Page 6 [0089]-[0092]).

24. With respect to claim 42, Katagishi teaches the method of Claim 29, wherein the step of effecting retrieval of the supplemental content information stored at the remote network resource further comprises initiating wireless communication with the remote network resource to retrieve the supplemental content information, wherein the wireless communication is chosen from group consisting of cellular, Wireless Local Area Network (WLAN), and Ultra Wide Band (UWB) (Page 4 [0066]).

25. With respect to claim 43, Katagishi teaches a computer program product for providing a user of a mobile device access to content information, the computer program product comprising a computer-readable storage medium having computer-readable program code portions stored therein, the computer-readable program code portions comprising:

a first executable portion capable of providing a mobile device user access to local content information stored locally on a Radio Frequency Identification (RFID) transponder and received via a wireless interrogation by the mobile device (Page 4 [0046] and Page 6 [0082]-[0083]); and

a second executable portion capable of effecting retrieval of supplemental content information stored at a remote network resource based on commands received

by the mobile device via the interrogation (Page 4 [0064]-[0066]), wherein the first and second executable portions are executed concurrently to provide the user seamless access to the local and supplemental content information (Page 6 [0082]-[0083]).

26. With respect to claim 44, Katagishi teaches the computer program product of Claim 40, wherein the second executable portion capable of effecting retrieval of supplemental content information is further defined as occurring absent user input by the mobile device user (Page 4 [0064]-[0066]: commands from RFID cause automatic retrieval of remote content).

27. With respect to claim 45, Katagishi teaches the computer program product of Claim 40, wherein the second executable portion capable of effecting retrieval of supplemental content information further comprises effecting retrieval of the supplemental content information stored at the remote network resource upon authorization of the mobile device user (Page 6 [0089]-[0092]).

28. With respect to claim 46, Katagishi teaches the computer program product of claim 40, wherein the second executable portion capable of effecting retrieval of supplemental content information further comprises effecting retrieval of the supplemental content information stored at the remote network resource upon authentication of the mobile device user (Page 6 [0089]-[0092]).

29. With respect to claim 47, Katagishi teaches the computer program product of Claim 40, wherein the first executable portion capable of providing a mobile device user access to information stored locally on a transponder and received via an interrogation by the mobile device further comprises providing a mobile device user complimentary

Art Unit: 2155

access to information stored locally on a transponder and received via an interrogation by the mobile device (Page 6 [0082]-[0083]).

30. With respect to claim 48, Katagishi teaches he computer program product of Claim method of Claim 44, wherein second executable portion capable of effecting retrieval of supplemental content information stored at a remote network resource based on commands received by the mobile device via the interrogation further comprises effecting retrieval of the supplemental content information stored at the remote network resource upon payment of a fee by the mobile device user (Page 7 [0100]-[0101]: user normally pays fee to access remote resource).

Claim Rejections - 35 USC § 103

31. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

32. Claims 4-8, 10, 11, 14-17, 20, 21, 24, 25, 27, 38, 39, 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katagishi in view of Applicant's admitted prior art.

33. With respect to claims 4 and 14, Katagishi generally teaches providing information from the transponder (Page 6 [0082]-[0083]) but does not explicitly disclose the local content information as including an Internet home page.

However, Applicant's admitted prior art indicates that it is known that a transponder device can include an internet home page (See page 2, lines 6-14 of applicant's specification).

It would have been obvious to one of ordinary skill in the art to have the transponder information of Katagishi be in the form of an internet home page as indicated by Applicant's admitted prior art. Using the known technique of providing information in the form of an internet home page on a transponder device to provide information from the transponder of Katagishi would have been obvious to one of ordinary skill in the art.

34. With respect to claims 5 and 15, Katagishi further teaches wherein the memory unit that stores the commands for concurrently effecting retrieval of the supplemental content information associated with the local content information from a remote network resource further comprises a memory unit that stores the commands for concurrently effecting retrieval of the supplemental content information associated with the Internet home page (Page 2 [0021]-[0023] and Pages 4-5 [0066]-[0067] in conjunction of the logic of the rejection of claim 4).

35. With respect to claims 6 and 16, Katagishi generally teaches providing information from the transponder (Page 6 [0082]-[0083]) but does not explicitly disclose the local content information as including a first portion of a multimedia file.

However, Applicant's admitted prior art indicates that it is known that a transponder device can include a first portion of a multimedia file (See page 2, lines 6-14 of applicant's specification).

It would have been obvious to one of ordinary skill in the art to have the transponder information of Katagishi be in the form of a first portion of a multimedia file as indicated by Applicant's admitted prior art. Using the known technique of providing information in the form of a first portion of a multimedia file on a transponder device to provide information from the transponder of Katagishi would have been obvious to one of ordinary skill in the art.

36. With respect to claims 7 and 17, Katagishi further teaches wherein the memory unit that stores the commands for concurrently effecting retrieval of the supplemental content information associated with the local content information from a remote network resource further comprises a memory unit that stores the commands for concurrently effecting retrieval of the supplemental content information including a second portion of the multimedia file (Page 2 [0021]-[0023] and Pages 4-5 [0066]-[0067] in conjunction of the logic of the rejection of claim 6).

37. With respect to claims 10 and 20, Katagishi generally teaches providing information from the transponder (Page 6 [0082]-[0083]) but does not explicitly disclose the local content information as including a condensed version of a file.

However, Applicant's admitted prior art indicates that it is known that a transponder device can include a condensed version of a file (See page 2, lines 6-14 of applicant's specification - preview).

It would have been obvious to one of ordinary skill in the art to have the transponder information of Katagishi be in the form of a condensed version of a file as indicated by Applicant's admitted prior art. Using the known technique of providing

information in the form of a condensed version of a file on a transponder device to provide information from the transponder of Katagishi would have been obvious to one of ordinary skill in the art.

38. With respect to claims 11 and 21, Katagishi further teaches wherein the memory unit that stores the commands for concurrently effecting retrieval of the supplemental content information associated with the local content information from a remote network resource further comprises a memory unit that stores the commands for concurrently effecting retrieval of the supplemental content information including a full version of the file (Page 2 [0021]-[0023] and Pages 4-5 [0066]-[0067] in conjunction of the logic of the rejection of claim 6).

39. With respect to claims 24 and 38, Katagishi teaches the transponder stores and transmit local content information and the processor of the mobile device provides user-access to the local content information while simultaneously initiating wireless communication with the network resource that stores supplemental content information (Page 6 [0082]-[0083]: local content information viewed while remote content is retrieved) associated with the local content information (Page 2 [0021]-[0023] and Pages 4-5 [0066]-[0067]). Katagishi does not explicitly disclose the local content information including an Internet home page.

However, Applicant's admitted prior art indicates that it is known that a transponder device can include an internet home page (See page 2, lines 6-14 of applicant's specification).

It would have been obvious to one of ordinary skill in the art to have the transponder information of Katagishi be in the form of an internet home page as indicated by Applicant's admitted prior art. Using the known technique of providing information in the form of an internet home page on a transponder device to provide information from the transponder of Katagishi would have been obvious to one of ordinary skill in the art.

40. With respect to claims 25 and 39, Katagishi teaches the transponder stores and transmit local content information and the processor of the mobile device provides user-access to the local content information while simultaneously initiating wireless communication with the network resource that stores supplemental content information (Page 6 [0082]-[0083]: local content information viewed while remote content is retrieved) associated with the local content information (Page 2 [0021]-[0023] and Pages 4-5 [0066]-[0067]). Katagishi does not explicitly disclose the local content information including a first portion of a multimedia file.

However, Applicant's admitted prior art indicates that it is known that a transponder device can include a first portion of a multimedia file (See page 2, lines 6-14 of applicant's specification).

It would have been obvious to one of ordinary skill in the art to have the transponder information of Katagishi be in the form of a first portion of a multimedia file as indicated by Applicant's admitted prior art. Using the known technique of providing information in the form of a first portion of a multimedia file on a transponder device to

provide information from the transponder of Katagishi would have been obvious to one of ordinary skill in the art.

41. With respect to claims 27 and 41, Katagishi teaches the transponder stores and transmit local content information and the processor of the mobile device provides user-access to the local content information while simultaneously initiating wireless communication with the network resource that stores supplemental content information (Page 6 [0082]-[0083]: local content information viewed while remote content is retrieved) associated with the local content information (Page 2 [0021]-[0023] and Pages 4-5 [0066]-[0067]). Katagishi does not explicitly disclose the local content information including a condensed version of a file.

However, Applicant's admitted prior art indicates that it is known that a transponder device can include a condensed version of a file (See page 2, lines 6-14 of applicant's specification - preview).

It would have been obvious to one of ordinary skill in the art to have the transponder information of Katagishi be in the form of a condensed version of a file as indicated by Applicant's admitted prior art. Using the known technique of providing information in the form of a condensed version of a file on a transponder device to provide information from the transponder of Katagishi would have been obvious to one of ordinary skill in the art.

42. Claims 8, 9, 18, 19, 26 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katagishi in view of Official notice.

43. With respect to claims 8 and 18, Katagishi generally teaches providing information from the transponder (Page 6 [0082]-[0083]) but does not explicitly disclose the local content information as including a first portion of a questionnaire.

However, questionnaires are well known in the art. It would have been obvious to one of ordinary skill in the art to have the transponder information of Katagishi be in the form of a first portion of a questionnaire as is well known in the art. Using the known technique of providing information in the form of a first portion of a questionnaire in order to provide information from the transponder of Katagishi would have been obvious to one of ordinary skill in the art.

44. With respect to claims 9 and 19, Katagishi further teaches wherein the memory unit that stores the commands for concurrently effecting retrieval of the supplemental content information associated with the local content information from a remote network resource further comprises a memory unit that stores the commands for concurrently effecting retrieval of the supplemental content information including a second portion of the questionnaire (Page 2 [0021]-[0023] and Pages 4-5 [0066]-[0067] in conjunction of the logic of the rejection of claim 8).

45. With respect to claims 26 and 40, Katagishi teaches the transponder stores and transmit local content information and the processor of the mobile device provides user-access to the local content information while simultaneously initiating wireless communication with the network resource that stores supplemental content information (Page 6 [0082]-[0083]: local content information viewed while remote content is retrieved) associated with the local content information (Page 2 [0021]-[0023] and

Pages 4-5 [0066]-[0067]). Katagishi does not explicitly disclose the local content information including a first portion of a questionnaire.

However, questionnaires are well known in the art. It would have been obvious to one of ordinary skill in the art to have the transponder information of Katagishi be in the form of a first portion of a questionnaire as is well known in the art. Using the known technique of providing information in the form of a first portion of a questionnaire in order to provide information from the transponder of Katagishi would have been obvious to one of ordinary skill in the art.

Conclusion

46. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
47. U.S. Patent 6,219,696 by Wynblatt et al. "System for Providing Targeted Internet Information to Mobile Agents" April 17, 2001.
48. U.S. Patent 6,766,947 by Wan et al. "Real World Showroom" July 27, 2004.
49. U.S. Patent 6,782,253 by Shteyn et al. "Mobile Micro Portal" August 24, 2004.
50. U.S. Patent 6,961,555 by Phiyaw "System and Apparatus for connecting a wireless device to a remote location on a network" November 1, 2005.
51. U.S. Patent 7,010,267 by Vanluijt et al. "Arrangement with beacon for providing information service".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID LAZARO whose telephone number is (571)272-3986. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David Lazaro/
March 27, 2008